

Message Text

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ACTION L-03

INFO OCT-01 IO-14 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00

NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15 ACDA-19

DRC-01 /184 W

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R 240244Z OCT 73

FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC 441

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E.O. 11652: N/A

TAGS: UNGA, PINS

SUBJ: UNGA-LEGAL COMMITTEE-PROTECTION OF DIPLOMATS

1. DUE TO SUDDENLY TRUNCATED DISCUSSIONS IN ASYLUM
AND CHAIR'S REVERSAL OF DECISION TO TAKE ARTICLE 2
OCT 23, LEGAL COMITE BEGAN DISCUSSION DISPUTE SETTLEMENT
ARTICLES (ARTICLE 12) OF CONVENTION.

2. ONLY PROPOSAL BEFORE COMITE WAS SOVIET AND CZECH
PROPOSALS TO DELETE. WE IMMEDIATELY SUBMITTED PROPOSAL
CONTAINED POSITION PAPER TO COMBINE ARBITRATION AND
CONCILIATION PROVISIONS LEAVING LATTER STAND IF STATE
OPTS OUT OF FORMER.

3. SOVS AND CZECHS OPPOSED DISPUTE SETTLEMENT IN ANY
FORM FOR USUAL EE REASONS AND FOR GOOD MEASURE THREATENED
NOT TO BECOME PARTIES IF BINDING DISPUTE SETTLEMENT
PRESSED.

4. DELOFF INTRODUCED US TEXT WITH STATEMENT STRONGLY
SUPPORTING PRINCIPLE OF BINDING DISPUTE SETTLEMENT AND
POINTING OUT OUR PROPOSAL DID NOT FORCE ANYONE TO ACCEPT
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ICJ, WHICH BEST MEANS SETTLING DISPUTES UNDER CONVENTION,

OR VEN ARBITRATION.

5. ITALY, SWEDEN, NETHERLAND, SPAIN, THAILAND SPOKE
IN FAVOR SOME FORM OF BINDING DISPUTE SETTLEMENT. CUBA
SUPPORTED SOVIET/CZECH POSITION AND INDIA SUGGESTED OPTIMAL
PROTOCOL.

6. IN SUBSEQUENT DISCUSSIONS IN VAN BRUSSELEN GROUP US
PROPOSAL WELCOMED BY SOME AS TECHNICALLY SUPERIOR TEXT
WHICH WE TACTICALLY WISE TO PUT IN WHEN WE DID. OTHERS
QUERIED WHETHER ADDITION ANOTHER PROPOSAL HELPED SINCE IT
WEAKENED ARGUMENT IN FAVOR FOLLOWING HAGUE PRECEDENT.
DELOFF REPLIED THAT IF GROUPS AS WHOLE BELIEVED OUR PROPOSAL
DECREASED CLAUSES EVEN OBTAINING HAGUE APPROACH WE COULD
BOW TO GROUP, BUT NOTED LONG TERM CAUSE OF DISPUTE SETTLE-
MENT NOT PARTICULARLY ENHANCED BY PERPETUATING HAUGE
TEXT AND THAT EXISTENCE SOMEWHAT STRONGER PROPOSAL ENHANCED
CHANCES OBTAINING AT LEAST HAGUE FORMULATION. REACTION
WAS TO URGE US TO KEEP OUR TEXT IN AT LEAST FOR TIME
BEING.
SCALI

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
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Concepts: DISPUTE SETTLEMENT, POLITICAL ASYLUM, COMMITTEE MEETINGS, MEETING REPORTS, POLICE PROTECTION RIGHTS
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Draft Date: 24 OCT 1973
Decaption Date: 01 JAN 1960
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Disposition Action: RELEASED
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Disposition Authority: garlanwa
Disposition Case Number: n/a
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EO Systematic Review
30 JUN 2005

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